

VZCZCXRO6225

PP RUEHAG RUEHAST RUEHDA RUEHDF RUEHFL RUEHIK RUEHKW RUEHLA RUEHLN
RUEHLZ RUEHPOD RUEHROV RUEHSR RUEHVK RUEHYG
DE RUEHAK #0350/01 0560945
ZNR UUUUU ZZH
P 250945Z FEB 08 ZDK
FM AMEMBASSY ANKARA
TO RUEHC/SECSTATE WASHDC PRIORITY 5336
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RUEAIIA/CIA WASHDC
RHEFDIA/DIA WASHINGTON DC
RUEKJCS/JOINT STAFF WASHDC//J-3/J-5//
RHEHAAA/NSC WASHDC
RUEUITH/ODC ANKARA TU//TCH//
RUEKJCS/SECDEF WASHDC
RUEUITH/TLO ANKARA TU
RUEHAK/USDAO ANKARA TU

UNCLAS SECTION 01 OF 02 ANKARA 000350

SIPDIS

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [PGOV](#) [PHUM](#) [TU](#)

SUBJECT: TURKEY'S PRESIDENT APPROVES CONSTITUTIONAL
AMENDMENTS TO LIFT HEADSCARF BAN

REF: A. ANKARA 0320

[1](#)B. ANKARA 0244

[1](#)C. ANKARA 0222

[1](#)1. (SBU) Summary. Turkish President Abdullah Gul signed two constitutional amendments February 22, laying the groundwork for lifting Turkey's headscarf ban at universities. Opposition parties plan to file a challenge in the Constitutional Court on Wednesday. Heated debate continues over whether Higher Education Council (YOK) law Article 17 also requires amending to specify that headscarves, tied a particular way, may be worn on campus. End summary.

[1](#)2. (SBU) With the media focused on Turkey's anti-PKK ground offensive into northern Iraq, President Gul signed two controversial constitutional amendments, pending since parliament approved them February 9, into law. A number of columnists criticized Gul for 'slipping it through' in that manner. The amendments to Articles 10 (equality before the law) and 42 (access to education) lay a constitutional foundation for lifting the headscarf ban. Fierce debate over whether allowing headscarves violates constitutional provisions protecting secularism preceded parliament's action (reftels). President Gul, stating the reforms do not pose a threat to secularism, stressed the need to defuse concerns about the changes.

[1](#)3. (SBU) Opposition Republican People's Party (CHP) and Democratic Left Party (DSP) are expected to challenge the amendments in the Constitutional Court on February 27, arguing the amendments are not in line with the constitution's secularism requirements. Baykal reportedly rejected a proposal by Turkish Union of Chambers and Commodity Exchanges (TOBB) President Rifat Kısarcıklıgolu to have AKP, MHP, CHP and DSP leaders agree to resolve the headscarf issue without amending the constitution. Baykal told the press CHP would not bargain over the headscarf.

[1](#)4. (SBU) Debate now centers on whether to amend YOK Law Article 17 to specify headscarves may be worn on campus. YOK Chairman Yusuk Ziya Özcan recently stated such an amendment is not necessary for the constitutional amendments to take effect. He sent rectors a directive February 23 clarifying covered students should be admitted so long as their faces remain visible; burqas or veils are not permitted. The notice prompted Court of Appeals Honorary Chief Prosecutor Sabih Kanadoğlu to accuse Özcan, a Gul appointee, of

committing a crime. Kanadoglu urged rectors not to comply, maintaining the constitutional amendments alone were not sufficient to lift the ban.

15. (SBU) YOK board members reportedly are divided over the issue, as are rectors. Appointees of former President Sezer reportedly plan to release a statement disagreeing with Ozcan. While Istanbul University Rector Mustafa Parlak said he will not permit covered students on campus until Article 17 is revised, the Union of Education Workers (Egitim Bir-Sen) announced members will monitor campuses and file legal challenges against universities obstructing headscarved girls from entering. Cukurova University Rector Alper Akinoglu said he plans to discuss the issue with legal advisors, adding the headscarf problem should be eliminated through consensus. Uludag University Rector Mustafa Yurtkuran contends the constitutional amendments do not remove the legal hurdles to lifting the ban. "For us, the headscarf is a political symbol and cannot be allowed at our university," he said.

16. (SBU) Parliament's Constitution Committee Chairman Burhan Kuzu told the press it is up to universities and YOK to decide whether the amendments alone are sufficient to lift the ban. Heeding President Gul's call to defuse tensions over the issue, AKP Whip Bekir Bozdag said his party is ready to consider proposals from CHP, DSP and NGOs, to include revisions to YOK law Article 17. Bozdag said AKP may meet with far-right Nationalist Action Party (MHP) members this week. MHP allied with AKP to push the amendments through parliament but balked when some AKP deputies argued no changes were needed to Article 17, contending AKP had reneged on their previous understanding to limit permissible headscarves to those tied under the chin.

ANKARA 00000350 002 OF 002

17. (SBU) Milliyet daily played off the concern that lifting the ban at universities will open the way for public servants to cover by showing photos of a headscarved doctor at a training hospital in Istanbul and covered students entering an Istanbul high school.

Visit Ankara's Classified Web Site at
[http://www.intelink.sgov.gov/wiki/Portal:Turk ey](http://www.intelink.sgov.gov/wiki/Portal:Turk%20ey)

WILSON